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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/726,172	
	Filing Date	December 2, 2003	
	First Named Inventor	Roger H. Hamilton	
	Group Art Unit	3636	
	Examiner Name	Winnie S. Yip	
Total Number of Pages in This Submission	4	Attorney Docket Number	998_001CIP

ENCLOSURES (check all that apply)		
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Firm or Individual name	Wall Marjama & Bilinski LLP Peter J. Bilinski Reg. No. 35,067
Signature	
Date	November 4, 2005

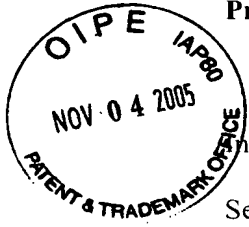
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Typed or printed name	Susanne C. Aregano	
Signature		Date November 4, 2005

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Practitioner's Docket No.: 998_001CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Roger H. Hamilton et al.

Ser. No.: 10/726,172

Art Unit: 3636

Filed: December 2, 2003

Examiner: Winnie S. Yip

For: OXYGEN BOTTLE CARRIER APPLIANCE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Susanne C. Aregano
Susanne C. Aregano

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office communication having a mailing date of October 11, 2005, and pursuant to 37 CFR 1.499 and MPEP 818.03(b), Applicants hereby provisionally elect, with traverse, to prosecute the embodiment covered by Figs. 5-7 in the above-captioned patent application and Claims 1-3 and 5-13 that are readable thereupon.

Applicants respectfully traverse the restriction requirement since the subject matter of all of claims - is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can

Serial No.: 10/726,172
Amendment Dated: November 4, 2005
Reply to Office Action of October 11, 2005

be made without serious burden, the Examiner must examine it on the merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

Applicants herein reserve the right to file divisional patent application(s) based on the subject matter of the non-elected claims. Furthermore and since any generic claim is allowed, it is submitted that the rejection be withdrawn for any dependent non-elected claim.

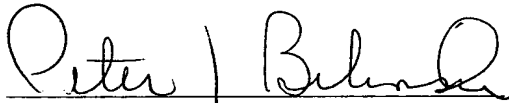
Entry of this response and expedited examination of the elected claims is respectfully requested at this time.

If the Examiner wishes to expedite disposition of the above-captioned patent application, he is invited to contact Applicants' representative at the telephone number below.

The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP


Peter J. Bilinski
Reg. No. 35,067

November 4, 2005
Date

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